

## New Jersey Office of the Attorney General

Division of Consumer Affairs New Jersey Cemetery Board 124 Halsey Street, 6th Floor, Newark, NJ 07102



Attorney General

STEPHEN B. NOLAN
Acting Director

Mailing Address:
P.O. Box 45036
Newark, NJ 07101
(973) 504-6553

October 19, 2006

certified & regular mail

Joseph Uras, President Rose Hill Cemetery Company PO Box 304 Matawan, New Jersey 07747

Re: Offer of Settlement in Lieu of Filing a Formal Complaint

Dear Mr. Uras:

This letter is to advise you that the New Jersey Cemetery Board (hereinafter "the Board") has had an opportunity to review information concerning your position as President and member of the Board of Directors/Trustees for Rose Hill Cemetery Company from at least 1998 while being an active Monument Dealer.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you are holding the aforesaid positions simultaneously which is a violation of the New Jersey Cemetery Act, 2003: specifically, **NJSA** 45:27-16© which states in pertinent part:

A cemetery company, and any person engaged in the management, operation or control of a cemetery company, directly or indirectly, is specifically prohibited from engaging directly or indirectly, in any of the following activities:

- (1) the manufacture or sale of monuments;
- (2) the manufacture or sale of private mausoleums;
- (3) the manufacture or sale of vaults, including vaults installed in a grave before or after sale and including vaults joined with each other in ground; and
- (4) the conduct of any funeral home or in the business or profession of mortuary science: provided that crematoriums operated in conjunction with funeral homes prior to December 1, 1971 are excepted from the provisions of this paragraph.

At this juncture, the Board has preliminarily concluded that the above is sufficient to warrant the initiation of formal proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal proceedings, should the cemetery consent to:

- 1. Cease and desist from simultaneously engaging in the management, operation or control of the cemetery, directly or indirectly, and in the manufacture and/or sale of memorials; and
- 2. Notify the Board within 30 days of your receipt of this letter of the manner in which you have elected to comply with the statute, providing documentation of your cessation of either or both activities.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for appropriate action. In such event, you will be afforded an opportunity to defend against the alleged violation. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you have your attorney contact Deputy Attorney General Ginger R. Provost who may be reached at (973) 648-4735.

If you elect to settle this matter now, you should sign the acknowledgment at the bottom of this letter and return it to the Board within thirty (30) days following your receipt of this letter. In the event that the Board receives no response from you within thirty (30) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for action.

NEW JERSEY CEMETERY BOARD

By: Vearxe L. Tamarafie Dianne L. Tamaroglio

**Executive Director** 

ACKNOWLEDGMENT: I, Joseph Uras, President, Rose Hill Cemetery, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to comply with all requirements set forth in the settlement letter.

Dated: 1-2-07

cc:

Joseph Uras

Ginger R. Provost, Deputy Attorney General